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GOVERNMENT GAZETTE

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SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF GOA, DAMAN AND DIU

Office of the Chief Electoral Officer

Notification

No. LD/N/57/67

In exercise of the powers conferred by Sections 13, 15 and 65 of the Goa, Daman and Diu Village Panchayat Regulation 1962 (No. 9 of 1962) and in supersession of the Goa, Daman and Diu Village Panchayat (Election Procedure) Rules 1962, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules, namely:

The Goa, Daman and Diu Village Panchayat Election (Procedure Rules) 1967

CHAPTER I

Preliminary

1. **Short title.** — (i) These rules may be called the Goa, Daman and Diu Village Panchayat (Election Procedure) Rules 1967.

(ii) They shall come into effect at once.

2. **Definitions.** — In these rules unless the context otherwise requires:

1) **Regulation:** means the Goa, Daman and Diu Village Panchayat Regulation 1962, as amended by Goa, Daman and Diu Village Panchayat Regulation (Amendment) Act, 1967 (No. 3 of 1967).

2) **Gram Panchayat:** means a Village Panchayat as defined by the above mentioned regulation.

3) **Lieutenant Governor:** means and includes the Administrator appointed as such by the President under article 239 of the Constitution for the Union Territory of Goa, Daman and Diu.

4) **Director, Elections:** means the Secretary to the Law Department, Government of Goa, Daman and Diu and Ex-Officio Chief Electoral Officer, Goa, Daman and Diu.

5) **Election:** means an election held to elect a member to a panchayat.

6) **Returning Officer:** means the Mamlatdar of the Taluka within the jurisdiction of which the Panchayat is situated.

7) **Persons holding «Office of Profit»** for the purpose of regulation includes regedor, members of Junta de Freguesia and members of Junta de Comunidade.

8) **Voter:** means a person entitled under Sections 13 and 14 of the Regulation to vote at an election.

9) **Section:** means a section of the Regulation.

10) The words, terms and definitions not expressly defined in these rules shall have the same meaning assigned to them in the Regulation.

CHAPTER II

I — Election and Co-Option

3. **Formation of wards.** — (1) For dividing a panchayat area into wards the population or the number of voters of each ward shall, as far as may be practicable, be equal and be in the same proportion as the number of members fixed under Section 7 of the Regulation bears to the total population of the number of voters of the panchayat.

(2) In dividing a panchayat area into wards under Section 7 the Collector or such other Gazetted Officer as may be authorised by him shall ensure that the geographical contiguity of all the area in a ward is maintained.

(3) Each ward shall be assigned a separate serial number.

4. Publication of wards.—The wards formed under Rule 3 shall be notified by affixing a statement thereof in Form No. 9 to the notice board of the Collector's Office, Mamlatdar's Office, and the Panchayat Office or in any conspicuous place at the Head Quarters of the Panchayats, where no panchayat Office is established. The statement shall also be published in the Government Gazette.

2 — Preparation, Maintenance and Custody of Voters' List

5. Preparation of voters list in draft and its publication.—For each of the wards into which a panchayat area is divided under sub-section 3 of Section 7 there shall be prepared and maintained by or under the supervision of the Collector or such subordinate Gazetted Officer of the Government as the Collector may authorise in this behalf, a list of the voters thereof for each ward.

6. Preparation and maintenance of voters list.—
(1) The Officer authorised who shall hereinafter be called the Registration Officer shall prepare draft list of voters of each ward of the Village Panchayat which shall contain the names of all persons who are enrolled as voters in the electoral rolls of the Goa, Daman and Diu Legislative Assembly. Such list shall be prepared in Roman and Devanagari script in respect of Goa district and in Gujarati script for Daman and Diu areas and signed by him and published by making a copy thereof available for inspection and displaying a notice in form No. A at his Office, and at Office of the Village Panchayat.

(2) Every claim for the inclusion of a name in the voters list and every objection to an entry therein shall be lodged within a period of 10 days from the date of the publication of the draft voters list under sub-rule (1) above.

Forms for claims and objections:

(3) Every claim for inclusion shall be:—

- (a) in form No. B
- (b) signed by the person desiring his name to be included in the voters list and
- (c) countersigned by another person whose name is already included in that ward of the voters list in which the claimant desires his name to be included.

(4) Every objection to the inclusion of a name in the voters list shall be:—

- (a) in form No. C
- (b) preferred only by a person whose name is already included in that ward of the voters list and
- (c) countersigned by another person whose name is already included in that ward of the voters list in which the name objected to appears.

(5) Every objection to a particular or particulars in any entry in the voters list shall be —

- (a) in form No. D, and
- (b) preferred only by the person to whom that entry relates.

Manner of lodging claims and objections.

(6) Every claim or objection shall be presented to the Registration Officer in his Office.

Procedure of Registration officer.

(7) (a) Every Registration Officer shall maintain in duplicate a list of claims in Form No. E, a list of objection to the inclusion of names in form No. F, and a list of objections to particulars in form No. G and

(b) keep exhibited one copy of each such list on a notice board in his Office.

Rejection of certain claims and objections.

(8) Any Claim or objection which is not lodged within the period, or in the form and manner, herein specified, shall be rejected by the Registration Officer.

Acceptance of claims and objections without enquiry.

(9) If the Registration Officer is satisfied as to the validity of any claim or objection, he may allow it without making further enquiry after the expiry of a period of 2 days from the date on which it is entered in the list exhibited by him under clause (b) of sub-rule (7) above.

Provided that where before any such claim or objection has been allowed, a demand for enquiry has been made in writing to the Registration Officer by any person, it shall not be allowed without further enquiry.

Notice of hearing claims and objections:

(10) (1) Where a claim or objection is not disposed of under sub-rule (8) or sub-rule (9) the Registration Officer shall —

- (a) specify in the list exhibited by him under clause (b) of sub-rule 7 the date, time and place of hearing of claims and objections.
- (b) (i) give notice of hearing in the case of objection to the inclusion of a name, to the person objected in form No. H and
(ii) intimate immediately on presentation of claim or objection the claimant in the case of a claim in form No. B and the objector in the case of an objection to the inclusion of a name in form No. C and also in the case of objection to a particular or particulars in an entry in form No. D about the date, time and place of hearing.

(2) The intimation to be given under sub-rule (b) of rule 10 (1) shall be served within 24 hours either by delivering personally or by affixing it to the persons residence or last known residence within the Panchayat.

Inquiry into claims and objections.

(11) (1) The Registration Officer shall hold a summary enquiry into every claim and objection in

respect of which intimation of hearing has been given under sub-rule (10) above and shall record his decision thereon.

(2) At the hearing, the claimant or as the case may be, the objector and the person objected to and any other person, who, in the opinion of the Registration Officer, is likely to be of assistance to him, shall be entitled to appear and be heard.

(3) The Registration Officer may in his discretion—

- (a) require any claimant, objector or person objected to appear in person before him.
- (b) require that the evidence tendered by any person shall be given an oath and administer an oath for the purpose.

Final publication of the voters list.

(12) (1) The Registration Officer shall thereafter—

- (a) prepare a list of amendments to carry out his decision under sub-rules (9) and (11) and to correct any clerical or printing errors or other inaccuracies that may be subsequently discovered in the voters list; and
- (b) sign, seal with the common seal of the Panchayat and publish the voters list together with the list of amendments, by making a complete copy thereof available for inspection and displaying a notice in form No. I at his Office and in the Office of the Panchayat.

(2) On such publication the voters list together with the list of amendments if any shall be the voters list of the Village Panchayat.

Custody of voters list.

(13) The list of voters maintained under this rule shall be kept in the panchayat chest or safe under lock and key and the Officer whose duty is to keep the chest or safe shall be responsible for safe custody of the said list.

7. Availability of voters list.—The Mamlatdar shall, at least five days before the date fixed for the nomination of the candidates for every general election of the Village Panchayat, give a public notice in Form No. 10 of the places where copies of the relevant list of voters are kept open for public inspection. Such notice shall be affixed at the Village Panchayat Office, and if there be no village panchayat office any other conspicuous public place in the village.

3 — Qualification for reserved seat

8. Qualification of candidate for Reserved Seat.—Where any seat in a ward of panchayat is reserved for women, only a woman shall be qualified to be chosen to fill such seat.

4 — Election of Panchayat

9. Appointment of Election Staff.—(1) The Mamlatdar, shall be the Returning Officer to hold the election and shall appoint a Presiding Officer for each place fixed for recording of votes (hereinafter referred to as polling station). He may also appoint

one or more polling officers to assist the Returning Officer and Presiding Officer in election work. Such Officers may be appointed either by name or Ex-Officio. The first polling officer shall perform the duties of the Presiding Officer in the absence of the Presiding Officer.

(2) If any polling officer is absent from the polling station, the Presiding Officer may appoint any person to act in place of such absentee and inform the Returning Officer accordingly.

(3) No person who has been employed by or on behalf of or has been otherwise working for a candidate in or about the election shall be appointed as a Presiding or Polling Officer.

(4) The Presiding and the Polling Officers shall perform such duties and exercise such powers as are imposed and conferred on them by these rules or as may be entrusted to them by the Returning Officer.

10. Power of Collector to appoint dates etc. for various stages of Elections.—(1) The Collector shall, after it is decided to hold an election, in the Village or Villages concerned, appoint the date(s) and the hours for the following stages of an election namely:—

- (i) the nomination of candidates, (ii) the scrutiny of nomination, (iii) the withdrawal of nominations and (iv) the counting of votes;

Provided that—

- (i) between the date fixed for the nomination of candidate and the date fixed for the recording of votes there is at least an interval of 10 days; and
- (ii) the date(s) for the scrutiny of nominations shall be the date(s) immediately following the date(s) fixed for the nomination of candidates.

(2) On the issue of a notification under sub-rule (1), the Collector shall give public written notice in Form 1 of the intended election not less than fifteen days before the date fixed for the nomination of candidates inviting nominations of candidates for such election and specifying the place where nomination papers are to be delivered. The notice shall also specify the names or official designations of persons declared under rule 9 as Returning Officer. Copies of notice shall be published by affixing at the Village Panchayat Office, Office of the Mamlatdar, Office of the Block Development Officer and if necessary at any other place in the Panchayat area appointed by the Collector.

(3) The date (s) and hours appointed under sub-rule (1) shall not be changed except with the previous sanction of the Director, Elections.

Provided that if the Collector is of opinion that it is necessary in the public interest to change the date(s) and hours so fixed and if there is not sufficient time for obtaining the previous sanction of the Director, Elections to such change, the Collector may for reasons to be recorded in writing, change such date(s) and hours. In every such case, the Collector shall forthwith forward a copy of his order and the reasons so recorded to the Director, Elections.

(4) The Collector shall also publish in the said notice in Form No. I, the date(s) and hours of poll

as may be notified by Lieutenant Governor under Section 15 of the Regulation.

11. Presentation of Nomination Paper.— (1) On the day appointed for the nomination of candidates, and during the hours appointed by the Collector under rule 10 in this behalf, each candidate shall make an application in writing in Form No. 2 signed by him and present it either in person or through a representative authorised in writing in this behalf by such candidate to the Returning Officer signifying his willingness to serve as a member of the Panchayat.

(2) On receiving a nomination paper under sub-rule (1), the Returning Officer shall write on the nomination paper its serial number, and shall sign thereon a certificate stating the date on which and exact time at which the application was delivered to him.

(3) Any nomination paper not delivered as provided in sub-rule (1) shall be rejected.

(4) Not more than two nomination papers shall be presented by any candidate or accepted by Returning Officer for election in the same ward.

(5) When an election is held at or about the same time for two or more wards in a village, one and the same person may stand for election in all or any number of such wards.

12. Procedure upon delivery of nomination paper.— Upon delivery of a nomination paper under rule 11 the Returning Officer shall inform the person delivering the same of the day, hour and place appointed for the scrutiny thereof and shall endorse thereon in his handwriting—

- (i) the serial number of the ward from which the candidate proposes to seek election;
- (ii) the serial number of the nomination paper for such ward;
- (iii) the name of the person delivering the nomination; and
- (iv) the date on which and the hour at which the nomination paper was delivered to him.

13. Deposit on Nomination.— (1) On or before the date appointed for the nomination of candidates each candidate shall deposit or cause to be deposited with the Returning Officer a sum of Rs. 5/- in cash with the first nomination paper for each ward.

Provided that in a ward in which a seat is reserved for women the sum to be deposited by or on behalf of such a candidate shall be rupee one.

No candidate shall be deemed to be duly nominated unless the deposit referred to in this sub-rule has been made.

(2) Where a candidate by whom or on whose behalf such deposit has been made withdraws his candidature in the manner and within the time specified in rule 17 or where the nomination paper of such candidate is rejected, the deposit shall be returned to the candidate or any other person who made the deposit, as the case may be, and, if any candidate dies before the commencement of the poll, such deposit shall be returned (a) if made by him, to his legal representative or (b) if not made by the candidate, to the person by whom it was made.

(3) If a candidate by whom or on whose behalf such deposit has been made is not elected and the number of votes polled by him does not exceed one-eighth of the total number of votes polled divided by the number of members to be elected, the deposit shall be forfeited to the Government of Goa, Daman and Diu.

(4) For the purposes of sub-rule (3), the total number of votes polled shall be deemed to be the total number of counted voting papers, other than spoilt voting papers.

(5) A deposit made under sub-rule (1), if it is not returned under sub-rule (2), or is forfeited under sub-rule (3) shall be returned to the candidate or any other person who made the deposit, as the case may be, as soon after the publication of the result of the election under rule 53 as may be practicable.

14. Scrutiny of Nomination Paper.— (1) At the time and place appointed for the scrutiny of nominations, intending candidates and any other person duly authorised in writing by each such intending candidate shall alone be entitled to be present. The Returning Officer shall allow such persons reasonable facilities for examining the nomination papers of intending candidates.

(2) The Returning Officer shall examine the nomination papers and decide all objections which may be made before him to any nomination and may, either on such objection or on his own motion, after such summary inquiry, if any, as he may consider necessary, reject a nomination paper on any of the following grounds namely:—

- (i) that the candidate is disqualified or is not qualified under the Regulation or these rules for election; or
- (ii) that the candidate has failed to comply with any of the provisions required by these rules or the Regulations;
- (iii) that he is not identical with the person whose number or name on the voters list as stated in the nomination paper to be the number or name of the candidate, or
- (iv) that his signature is not genuine or has been obtained by fraud, coercion or undue influence.

(3) The Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character.

(4) For the purpose of sub-rule (1) the production of a certified copy of an entry made in the list of voters shall be conclusive evidence of the right of any voter named in that entry to stand for election unless it is proved that the candidate is disqualified.

15. Completion of scrutiny.— (1) The scrutiny shall be completed on the day(s) appointed by the Collector in this behalf.

(2) The Returning Officer shall, on the same day, endorse on each nomination paper his decision accepting or rejecting the same, and, if the nomination paper is rejected, shall record a brief statement of his reason for such rejection.

16. Preparation and displaying of list of validly nominated Candidates.— (1) Immediately after the

scrutiny is completed under Rule 15, the Returning Officer shall, for each ward, cause to be prepared a list in form No. 3 showing the names of the candidates whose nomination papers have been accepted.

(2) The names should be arranged alphabetically in Roman script commencing with the proper name followed by father's/mother's/husband's name. The list so prepared shall be displayed on the notice board in the Office of the Returning Officer and the Office of the Village Panchayat.

17. Withdrawal of Candidature. — (1) Any candidate may withdraw his candidature by a notice in writing in form No. 11 subscribed by him and delivered to the Returning Officer between the hours of eleven O'clock in the forenoon and three O'clock in the afternoon on the day immediately following the day of the completion of the scrutiny. Such notice may be delivered either by the candidate in person or by a person authorised in writing by him in this behalf. Any notice of withdrawal which is given after the expiry of the period prescribed in this rule shall not have any effect.

(2) No person who has given a notice of withdrawal of his candidature under sub-rule (1) shall be allowed to cancel the notice.

(3) The Returning Officer, on receiving notice of withdrawal under sub-rule (1) shall, as soon as may be thereafter, cause a notice of withdrawal in form No. 12 to be fixed at the Office of the Returning Officer.

18. Uncontested Election and failure to elect. —

(1) In any ward in which no seat is reserved for Women —

- (i) where the number of candidates duly nominated is equal to the number of seat to be filled in a ward, the Returning Officer shall declare the candidates so nominated to be duly elected without any votes being taken;
- (ii) where there is no candidate duly nominated, in respect of the seat in a Ward it shall be deemed to be that the election has not resulted in the return of the required number of qualified person (s) willing to take office within the meaning of Section 7.
- (iii) if the number of candidates duly nominated exceeds the number of seat (s) to be filled in a Ward votes shall be taken for filling the vacancies in the manner provided by these rules.

(2) In any ward in which a seat is reserved for woman, the Returning Officer shall ascertain the number of candidates qualified to fill such reserved seat and thereafter proceed as follows: —

- (i) where there is one candidate qualified to be chosen to fill the reserved seat the candidates so qualified shall be declared by the Returning Officer to be elected to fill the reserved seat;
- (ii) where there is no candidate qualified to be chosen to fill any of the reserved seat it shall be deemed that the election has not resulted in the return of the required number of qualified persons willing to take office within the meaning of Section 7.

19. Assignment of Symbol. — (1) In the case of every contested election the Returning Officer shall assign to each candidate one symbol in the following order after arranging their names as required under Rule 20.

(1) Bird (2) Boat (3) Camel (4) Elephant (5) Horse (6) Railway Engine (7) Scales (8) Spade (9) Cock (10) Fish (11) Ladder (12) Motor Car (13) Peacock (14) Pot (15) Umbrella.

(2) If the list of symbol in sub-rule (1) is exhausted the Returning Officer may in his discretion allot to the candidate or candidates concerned any symbol other than those specified in the list but no symbol reserved for a political party by Election Commission of India, may be allotted.

20. Preparation and displaying of list of contesting candidates. — (1) Immediately after the expiry of the time fixed under sub-rule (1) of Rule 17, the Returning Officer shall for each ward cause to be prepared, a list of contesting candidates in Form No. 4 arranging the names in the alphabetical order in Roman script as appearing in form No. 3 along with the symbol assigned to them in the manner prescribed under Rule 19 and display the list on the notice board in the Office of the Panchayat and in the Office of the Returning Officer.

Exhibition of list of contesting candidates at the Polling Station.

(2) On the day of poll, a copy of list of contesting candidates shall be posted outside the polling stations for the guidance of voters before the polling commences.

21. Form of voting paper. — The voting paper shall be in form No. 5 appended to these rules and printed in Roman and Devanagari scripts in respects of Panchayats in Goa district and in Gujarati script in respect of village panchayats in Daman and Diu districts. It shall contain the names of all contesting candidates in alphabetical order as arranged in form No. 4 together with the distinguishing symbol assigned to each candidate by the Returning Officer under Rule 19.

22. Polling Station. — (1) If a poll is to be held, the Mamlatdar with the prior approval of the Collector shall locate a polling Station or stations in Office of the Panchayat and or other public buildings such as a school and Government Offices within the concerned panchayat limits.

(2) A list specifying the place (s) of polling station (s) as also the serial numbers of voters attached to it shall be prepared panchayat-wise and displayed by the Mamlatdar on the notice board in the Office of the Mamlatdar, Block Development Officer and at the Office of the panchayat at least 7 days before the day of poll.

(3) Two copies of such list shall be supplied free of cost to each of the contesting candidates.

23. Death of candidate before poll. — If a contesting candidate dies and a report of his death is received by the Returning Officer, before the commencement of the poll, the Returning Officer shall, upon being satisfied of the fact of the death of the candidate, countermand the poll and report the fact to the Collector and all proceedings with reference

to the election shall be commenced anew in all respects as if for a new election;

Provided that — (i) no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of countermanding of the poll; and (ii) no person who has given a notice of withdrawal of his candidature under sub-rule (1) of rule 17 before the countermanding of the poll shall be ineligible for being nominated for the election after such countermanding.

24. Supply of Election Material. — (1) Each polling Station shall be provided with Ballot papers serially numbered equal to the number of voters assigned to the polling station rounded upto next ten, copies of voters list, ballot boxes sufficient for the purpose of enabling electors to cast their votes and such other materials for the purposes of the polling as may be necessary.

(2) In supplying the material mentioned in sub-rule (1) regard shall be had to the number of electors entitled to vote at the polling station and the number of polling booths established therein.

25. Ballot Boxes. — (1) Every ballot box used at a polling station shall bear the name of the panchayat and the number of the ward of the panchayat.

(2) Every ballot box shall be so constructed that ballot papers may be introduced therein but cannot be withdrawn therefrom without the box being unlocked and without breaking the seal.

26. Sealing of ballot Box before the commencement of Poll. — (1) The Poll shall commence at the hour appointed for such commencement.

Immediately before the commencement of the poll the Presiding Officer shall show the ballot box to the candidates or their agents as may be present at the polling station, thereafter lock the same, place a seal thereupon in such manner as to prevent it being opened or unlocked without breaking the seal and place it within his view.

27. Admission to Polling Booth. — (1) On the day of Election, every Presiding Officer, shall admit to the ante-room of the polling booth at which he presides:

- (a) The candidates and such polling agents as may be selected by the candidates to assist in the identification of voters; and
- (b) Polling Officers and other public servants on duty:

Provided that there shall be present at any time in lieu of candidates not more than one polling agent of each candidates in every polling station.

(2) Besides the candidates and their polling agents, only voters and such persons if any, as may be admissible under special directions given by the Presiding Officer in this behalf shall be admitted in the polling booth.

Provided further that each contesting candidate shall be allowed to appoint in form No. 13 only one polling agent for each polling Station.

28. Candidates and Agents not to communicate with voters. — (1) The candidates and their agents shall

not speak to or address any voter in any part of the polling station, but may address to the Presiding Officer objection to a voter on any one of the following three grounds namely:

- (i) That the voter's name does not appear in the voters list as entitled to vote in the ward in respect of which the election is being held;
- (ii) That his claim to be a certain voter, whose name is entered in the voters list is false;
- (iii) That he has already voted at the election.

(2) Any person contravening the provisions of sub-rule (1) may be expelled from the polling station by the Presiding Officer, and a person so expelled shall not be re-admitted during the election.

29. Voters to attend polling Stations. — Every voter desirous of recording his vote shall attend for the purpose at the polling station for the ward for which he is entered in the voter's list on such date and between such hours as have been appointed by the Collector in this behalf under Rule 10.

30. Voting to be personnel and by Ballot and in Polling Station or booth previously directed. — (1) At every polling station vote shall be cast by ballot and in person and the Presiding Officer shall not allow any votes to be cast by proxy.

(2) No elector shall be admitted to cast his vote elsewhere than in the polling station and the polling booth attached thereto.

(3) Every voter shall be entitled to give only one vote.

31. Arrangements for secrecy of voting. — (1) Each polling station shall contain a separate compartment in which electors can cast their votes, screened from observation.

(2) While an elector is in such compartment no other person shall, subject to the provisions contained in rule 27, enter it but the Presiding Officer may occasionally enter it along with the candidate if they so desire.

32. Identity of Elector. — Immediately before the ballot paper is delivered to an elector, the Presiding Officer shall satisfy himself as to the identity of the elector with reference to the entry relating to that elector in the voters list. He shall also hear and decide then and there any objections raised in this behalf. He may refuse to issue a ballot paper or papers to any person who declines to answer any reasonable question put to him for the purpose of ascertaining such identity or whose identity is not established to his satisfaction. But issue of ballot papers shall not be refused merely on the ground of any typographical error or omission in the relevant entries of the voters list if the identity of the elector is otherwise established.

33. Issue of Ballot Paper. — (1) Every ballot paper before issue to the elector be marked with the seal of the Presiding Officer on its back at the top of the left hand corner and before it is issued to an intending voter, his name and his number in the voters list shall be called out so that all present can hear them.

(2) In cases where no objection has been raised, after recording the serial number of the ballot paper against the entry relating to the voter in the copy of the voters list, the polling officer shall give the ballot paper to the voter, and admit him to the polling room, but not more than one voter shall be admitted to the polling room at a time;

Where objections are raised by candidates and/or their agents, the Presiding Officer shall dispose of such objections and when satisfied that the intending voter is entitled to vote and has not yet voted, shall direct the polling officer to give the ballot paper to him after taking his signature or thumb impression and record the serial number of the ballot paper against his name in the voters list. The voter shall then be admitted to the polling booth.

(3) Save as provided in sub-rule (2) no person in the polling station shall note down the serial number of ballot paper issued to particular elector.

34. Manner of casting Votes. — An elector shall, on receiving the ballot paper issued to him under Rule 33, forthwith proceed to polling compartment, there mark his ballot paper by affixing a seal containing a cross mark of (X) opposite the name and symbol (or on the name or symbol) of the candidate in whose favour he desires to cast his vote, fold up the ballot paper thus marked so as to conceal his vote and the serial number of the ballot paper and put the ballot paper so folded up, into the ballot box which shall be placed within the view of the Presiding Officer and without undue delay leave the polling station.

35. Assistance to Blind and Infirm Electors. — If an elector, owing to blindness or other physical infirmity, is unable to record his vote in the manner laid down in rule 34, the Presiding Officer shall do so according to the direction of the elector and fold it so as to conceal the vote and insert it into the ballot box and make a brief note against the entry relating to such elector in the copy of voters list referred to in rule 33, the reason for such action.

36. Spoiled Ballot Papers. — An elector who has inadvertently dealt with his ballot paper in such a manner that it cannot conveniently be used as such, may on delivering it to the Presiding Officer and satisfying him of the inadvertance, obtain another ballot paper in place of the spoilt ballot paper and such spoilt ballot paper shall be marked by the Presiding Officer as cancelled and kept in a separate cover.

37. Return of Ballot Paper. — If any elector, after obtaining a ballot paper for the purpose of casting his vote, decides not to use the same or to cast his vote, he shall return the ballot paper, so issued to him, to the Presiding Officer and the ballot paper so returned shall then be marked by the Presiding Officer as cancelled on account of such return and kept in a separate cover.

38. Challenged votes. — (1) Where any candidate, election agent or polling agent declares and undertakes to prove that any person by applying for a voting paper and claiming to be a particular voter has committed the offence of personation, the Presiding Officer shall require such person to enter in the list of challenged votes in form No. 6, his name

and address or, if he is unable to write, to affix his thumb impression thereto, and may further require such person to produce evidence of identification:

Provided that no action shall be taken by the Presiding Officer under this sub-rule unless a sum of one rupee has been deposited in cash with the Presiding Officer by the candidate or such agent for each challenge he makes.

(2) Where the person so challenged refuses to comply with such requisition, he shall not be permitted to vote. But if such person does so comply, and on being questioned gives unqualified answer in the affirmative to a question put to him whether he is the person named in the list and in the negative to a question whether he has voted at the said election in the ward or in any other ward, he shall be allowed to vote after he has been warned of the penalty for personation.

(3) Where the Presiding Officer after such enquiry on the spot as he thinks necessary is of opinion that the challenge made by the candidate or his agent under sub-rule (1) is frivolous and has not been made in good faith, he shall direct the deposit made under sub-rule (1) to be forfeited to the Government of Goa, Daman and Diu and his order in this respect shall be final.

(4) Where the deposit made under sub-rule (1) is not forfeited under sub-rule (3), it shall be returned to the person by whom it was made after the close of the poll on the day on which it is made.

(5) The Presiding Officer shall, in every case, whether or not the person challenged is allowed to vote, make a note of the circumstances in the list of challenged votes.

39. Tendered Voting Papers. — (1) If a person representing himself to be a particular elector applies for a ballot paper after another person has already voted as such elector, he shall, on satisfactorily answering such questions relating to his identity as the Presiding Officer may ask, be entitled, subject to the following provisions of this rule, to mark a ballot paper (hereinafter in these rules referred to as a «tendered ballot paper») in the same manner as any other elector.

(2) Every such person shall, before being supplied with a tendered ballot paper, sign his name against the entry relating to him in a list in Form No. 7.

(3) A tendered ballot paper shall be the same as the other ballot paper used at the polling booth except that it shall be:

- (a) serially the last in the bundle of ballot paper issued for use at the polling station.
- (b) endorsed on the back with the words «tendered ballot paper» by the Presiding Officer in his own hand and signed by him.

(4) The elector, after marking a tendered ballot paper in the voting compartment, and folding it, shall, instead of putting it into the ballot box, give it to the Presiding Officer, who shall place it in a cover specially kept for the purpose.

40. Closing of Poll. — (1) The Presiding Officer shall close a polling station at the hour fixed in

that behalf under section 15 and shall not thereafter admit any elector into the polling station.

Provided that all electors present at the polling station before it is closed shall be allowed to cast their votes.

(2) If any question arises whether an elector was present at the polling station before it was closed, it shall be decided by the Presiding Officer and his decision shall be final.

41. Removal from Polling Station for misconduct.—

(1) If any person misconducts himself at a polling station, or fails to obey the lawful orders of the Presiding Officer, the Presiding Officer shall immediately remove, or order any police officer present there to remove, from the polling station the person so misconducting himself, and such person shall not be allowed again to enter the polling station without the permission of the Presiding Officer.

(2) No removal from a polling station shall be ordered under sub-rule (1) so as to prevent an elector, entitled to cast his vote thereat, for having an opportunity of casting the vote.

42. Duties of Presiding and other Polling Officers.— (1) It shall be the duty of the Presiding Officers and their assistants to see that votes are recorded with absolute secrecy; that only such persons as may be admitted to the polling booth under these rules are admitted thereto; and that persons who have recorded their votes, or against whom objections have been heard and upheld, leave immediately. It shall also be their duty to see that these rules and any special directions given by the Returning Officer thereunder are strictly observed in all respects.

(2) The Presiding Officer shall keep the ballot box under his own observation for the purpose of preventing malpractices and securing the observance of the rules.

43. Returning Officer to supervise conduct of Elections.— The election shall be conducted under the general supervision of the Returning Officer.

44. Voting by Officer on duty at Polling Station.—

(1) A Presiding Officer or Polling Officer or a public servant who is on election duty at a polling Station at which he is not entitled to vote at the election in connection with which he is employed shall send an application in form No. 15 to the Returning Officer so as to reach him at least 4 days or such shorter period as the Returning Officer may allow before the date of poll, and if the Returning Officer is satisfied that the applicant is a voter on election duty, he shall issue a postal ballot paper to him.

(2) A postal ballot paper shall be the same as that of the ordinary ballot paper in Form No. 5.

(3) (i) A postal ballot paper shall be sent by post under certificate of posting to the voter together with—

- (a) a declaration in Form No. 16.
- (b) a cover in Form No. 17.
- (c) a large cover addressed to the Returning Officer in Form No. 18.
- (d) instructions for the guidance of the elector in Form No. 19.

Provided that the Returning Officer may, in any case of a voter on election duty, deliver the ballot paper and forms or cause them to be delivered, to such voter personally.

(ii) The Returning Officer shall at the same time record the serial number of each ballot paper against the entry relating to that voter in the marked copy of the voters list.

(iii) Ensure that the voter is not allowed to vote at an polling station.

(4) Every Officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay.

(5) After ballot papers have been issued to all voters entitled to vote by post the Returning Officer shall

(1) At an election to the Village Panchayat, seal up in a packet that part of the marked copy of the voters list and record on the packet a brief description of its contents and the date on which it was sealed and send to the Presiding Officers for recording the serial numbers of ballot papers issued to voters at the polling station.

(6) An voter who has received a postal ballot paper and desires to vote shall record his vote on the ballot paper in accordance with the directions contained in Form No. 19 and then enclose it in cover in Form No. 17.

(7) The voter shall sign the declaration in Form No. 16 in the presence of, and have the signature attested by a Magistrate or such other Gazetted Officer or the Presiding Officer of the Polling Station at which he is on election duty as may be appropriate, to whom he is personally known or to whose satisfaction he has been identified.

(8) (i) When a postal ballot paper and other papers sent under sub-rule (3) are for any reason returned undelivered, the Returning Officer may re-issue them by post under certificate of posting or deliver them or cause them to be delivered to the voter personally on a request being made by him.

(ii) If any voter has inadvertently dealt with the ballot paper or any of the other papers sent to him under sub-rule (3) in such manner that cannot conveniently be used, a second set of paper shall be issued to him after he has returned the spoilt papers and satisfied the Returning Officer of the inadvertence.

(iii) The Returning Officer shall cancel the spoilt papers so returned and keep them in a separate packet after noting thereon the particulars of the Panchayat Election and the serial numbers of the cancelled ballot papers.

(9) (i) After the voter has recorded his vote and made his declaration under sub-rule 7 shall return the ballot paper and declaration to the Returning Officer in accordance with the instructions communicated to him in Form No. 19 so as to reach the Returning Officer before the close of the poll of the panchayat.

(ii) If any cover containing the postal ballot paper is received by the Returning Officer after the expiry of the time fixed under sub-rule 9(i) he shall note thereon the date and time of its receipt and shall keep all such covers together in a separate packet.

(iii) The Returning Officer shall keep in safe custody until the commencement of the counting of votes all covers containing postal ballot papers received by him.

45. Sealing of Ballot Boxes etc. after Poll. — (1) As soon as practicable after the closing of the poll, the Presiding Officer shall close the slit of the ballot box, and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any polling agent or candidate present to affix his seal.

(2) The ballot box shall thereafter be sealed and secured.

(3) The Presiding Officer shall then make up into separate packets: —

- (1) Unused voting papers.
- (2) Tendered votings papers.
- (3) Spoiled or returned cancelled voting papers.
- (4) Marked copy of the voters list.
- (5) Tendered voter's list.
- (6) Lists of Challenged votes.
- (7) Unused Paper seals.

He shall seal with his own seal and the seal of any candidate or his agent who may desire to affix his seal, all the packets prepared under this rule.

(4) The ballot box and the packets shall be forwarded by the Presiding Officer to the Returning Officer or any other person appointed by the Returning Officer to take charge of them till the votes are counted. He shall also forward with them a ballot paper account prepared in Form No. 8 appended to these rules and enclose it in a separate sealed cover with the words «Ballot Paper Account» subscribed thereon.

(5) He shall also forward a statement showing the number of paper seals entrusted to him and accounting them under the following heads:

- (i) Papers seals entrusted (ii) Paper seals used
- (iii) Paper seals spoiled or damaged (iv) Paper seals unused.

46. Adjournment of Poll in emergencies. — (1) Where at an election the proceedings at any polling station for the poll are interrupted or obstructed by any riot or open violence, or where at an election it is not possible to take the poll at any polling station on account of any natural calamity, or any other sufficient cause, the Returning Officer or the Presiding Officer for such polling station shall announce an adjournment of the poll to a date to be appointed, later on and where the poll is so adjourned by the Presiding Officer, he shall forthwith inform the Returning Officer concerned.

(2) Whenever a poll is adjourned under sub-rule (1), the Returning Officer shall immediately report the circumstances to the Collector, who shall as soon as may be practicable publish under rule 10, the day to be notified by the Lt. Governor under section 15 of the Regulation on which the poll shall recommence and the hours during which the poll shall be taken. The Returning Officer shall not count the votes at such election until such adjourned poll shall have been completed.

(3) The provisions of these rules shall mutatis mutandis apply to the adjourned poll taken under this rule as they apply to the original poll.

47. Time and place of counting of Votes. — The Returning Officer shall with the approval of the Collector at least 3 days before the date fixed for the poll appoint the place or places where the counting of votes will be done and the date and time at which the counting will commence and shall communicate the same in writing to each candidate or, his agent.

Provided that if for any reason the Returning Officer finds it necessary so to do he, with the prior approval of the Collector may alter the date, time and place or places so fixed, or any of them after intimating the same in writing to each candidate or his agent.

48. Counting of Votes. — (1) The counting of votes shall be done by and under the supervision of the Returning Officer with the assistance of such persons as he may appoint to assist in the counting of votes.

(2) On the day and at the time and place appointed under rule 10 for the counting of votes, the Returning Officer shall with respect to ballot boxes used at the poll proceed as follows: —

- (i) All the ballot boxes placed for the counting of votes shall be counted and checked and the Returning Officer shall satisfy himself that all such boxes as contain the voting papers which are to be counted at such places have been received and accounted for.
- (ii) The Returning Officer shall then allow the candidates and counting agents present at the counting an opportunity to inspect the ballot boxes and their seals for satisfying themselves that they are in order.
- (iii) the Returning Officer shall also satisfy himself that none of the boxes has in fact been tampered with.
- (iv) If the Returning Officer is satisfied that all such ballot boxes as containing the voting papers which are to be counted at such place have been received and are in order, he shall take up the counting of voting papers contained in the ballot boxes.
- (v) After each ballot box is opened for counting, clearly valid voting papers shall be separated from invalid and doubtful voting papers. The invalid and doubtful voting papers shall be submitted to the Returning Officer for decision. The valid voting papers shall thereafter be taken for counting and the votes recorded in favour of each candidate shall be counted with the aid of persons appointed to assist in the counting of votes.
- (vi) The Returning Officer shall allow the candidates and counting agents, who may be present, reasonable opportunity to inspect all voting papers, which in the opinion of the Returning Officer are liable to be rejected but shall not allow them to handle these or any other voting papers. The Returning Officer shall on every voting paper which is rejected endorse the word "rejected". If any candidate or his counting agent questions the correctness of the re-

jection of any voting paper, the Returning Officer shall also record briefly on such voting paper the grounds forms its rejection.

- (vii) After the counting of all ballot papers contained in all the ballot boxes used at a polling station has been completed, all the valid ballot papers shall be bundled together and kept along with the bundle of rejected ballot papers in a separate packet which the Returning Officer shall cause to be sealed up and on which shall be recorded the following particulars, namely:

- (a) the name of the village panchayat.
- (b) the number or name of the ward.
- (c) the particulars of the polling station where the ballot papers have been used, and
- (d) the date of counting.

(3) The Returning Officer shall as far as practicable, proceed continuously with the counting of the votes and shall during the intervals when the counting has to be suspended, keep the ballot papers, packets and other documents relating to the election sealed with his own seal and the seal of such candidate or counting agents as may desire to affix their seals and shall cause adequate precautions to be taken for their safe custody.

(4) After the counting of ballot papers contained in all ballot boxes used at all the polling stations has been completed, the Returning Officer shall prepare a consolidated statement recording therein the total number of votes polled by each candidate, in Form No. 20.

49. Grounds for rejecting Ballot Papers. — (1) A ballot paper shall be liable to rejection: —

- (i) if it bears any mark by which the elector can be identified.
- (ii) if the number of votes recorded thereon exceeds the number of members to be elected.
- (iii) if no vote is recorded thereon.
- (iv) if the ballot paper or the vote recorded thereon is void for uncertainty.
- (v) if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established.

(2) No ballot paper shall be rejected otherwise than on any of the grounds enumerated in sub-rule (1).

(3) The Returning Officer shall record on every ballot paper which he rejects, a brief statement of the reasons for such rejection.

(4) The decision of the Returning Officer as to the validity or otherwise of the ballot paper shall be final.

50. Results of Election. — (1) On completion of the statement showing the number of votes recorded, the Returning Officer shall from amongst the candidates qualified to be chosen to fill a reserved seat, if any, declare subject to the provisions of rule 8 the candidate who has secured the largest number of votes to be elected to fill such reserved seat.

(2) The Returning Officer shall then declare from among all other candidates, contesting an election in a ward other than the reserved ward the candidate or candidates who have secured the largest number of votes to be elected to fill the seat in a ward.

(3) Where an equality of votes is found to exist between any candidates either for the reserved or the unreserved seats and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such an additional vote shall be deemed to have been given shall be made by lots to be drawn in the presence of the Returning Officer and the candidates or their agents who may desire to be present, and in such manner as the Returning Officer may determine.

51. Recount of Votes. — (1) After such declaration has been made, a candidate, or, in his absence his agent may apply in writing to the Returning Officer for a recount of all or any of the ballot papers already counted stating the grounds on which he demands such recount.

(2) On such an application being made, the Returning Officer shall decide the matter and may allow the application in whole or in part, or may reject it in toto if it appears to him to be frivolous or unreasonable.

(3) Every decision of the Returning Officer under sub-rule (2) shall be in writing and contain the reasons therefor.

(4) If the Returning Officer decides under sub-rule (2) to allow an application whether in whole or in part, he shall: —

- (a) count the ballot papers again in accordance with his decision;
- (b) amend the statement showing the number of votes recorded, referred to in sub-rule (4) of rule 48 to the extent necessary after such recount; and
- (c) announce the amendments so made by him and the result of the election.

52. Pasting of result of Election by Returning Officer. — The Returning Officer shall cause the names of the elected candidates to be pasted at the Village Panchayat Office and the Mamlatdar's Office and shall report such names immediately to the Collector.

53. Publication of result of Election. — (1) If the number of persons elected to unreserved seats is less than the total number of members to be elected, the Collector shall immediately report to Government to make appointments to the remaining seats under Section 7 of the Regulation.

(2) The Collector shall than publish the names of elected members as reported by the Returning Officer in the Government Gazette and also by causing a list of such members to be pasted up at his Office, at the Offices of the Mamlatdar, the Block Development Officer and at the Village Panchayat Office.

Provided that the Collector shall, before the publication of the names of the Elected members, be competent to correct mistake, if any, in the names of elected members.

54. Record of Proceeding.—The Returning Officer shall keep a record of the proceeding of every election.

55. Fresh poll in case of destruction etc. of ballot boxes.—(1) If at any election—

(a) any ballot box used at a polling station is unlawfully taken out of the custody of the Presiding Officer or the Returning Officer, or is accidentally or intentionally destroyed or lost, or is damaged, or tampered with to such an extent, that the result of the poll at that polling station cannot be ascertained or

(b) any such error or irregularity in procedure as is likely to vitiate the poll, is committed at a polling station, the Returning Officer shall forthwith report the matter, to the Collector.

(2) Thereupon, the Collector shall after taking all material circumstances into account, either—

(a) declare the poll at the polling station to be void, report to Government to appoint a day and fix the hours, for taking a fresh poll at that polling station and notify the day so appointed and the hours so fixed in such manner as he may deem fit, or

(b) if satisfied that the result of a fresh poll at that polling station will not, in any way, affect the result of the election or that the error or irregularity in procedure is not material, issue such directions to the Returning Officer as he may deem proper for the further conduct and completion of the election.

(c) the provisions of the Regulation and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll.

56. Multiple Election.—If a person is elected to more than one seat in a village panchayat, the time within which he may resign all but one of the seats under section 10 shall be seven days from the date of the pasting of the result of the election by the Returning Officer under Rule 52.

57. Custody of Papers relating to Election.—The Returning Officer shall keep in custody of the Mamlatdar the statements, packets and other documents referred to in rule 45 and 48 and all other papers relating to the election.

58. Production and Inspection of Election Papers.—

(1) While in the custody of the Mamlatdar—

(a) the packets of unused ballot paper.

(b) the packets of used ballot papers whether valid, tendered or rejected.

(c) the packets of marked copies of the list of voters, shall not be opened and their contents shall not be inspected by, or produced before any person or authority except under order of a competent court or authority.

(2) All other papers relating to the election shall be open to public inspection.

59. Destruction of ballot and other papers.—(1) On the expiry of two months from the date of the publication of the result of the election or where an application challenging the validity of an election has been made on the expiry of two months from the date of the decision on such application, whichever is later, the Mamlatdar shall, destroy the ballot papers.

(2) All other papers relating to the election shall be retained until the termination of the next election of the village panchayat and shall, thereafter, be destroyed, subject to any direction to the contrary given by the Collector or a competent court or authority.

60. Bye-Elections.—(1) In case of any of the following events resulting into casual vacancy namely:

(1) Whenever a member is removed from Office under Section 25; or

(2) Whenever a member resigns his Office; or

(3) Whenever a member dies, while in Office, a Bye-election shall be held under the provisions of Section 15.

(2) The provisions of Rules 10 to 59 shall mutatis mutandis apply, so far as may be, to every such bye-election.

61. Repeals and Savings.—The Goa, Daman and Diu Village Panchayat (Election Procedure) Rules 1962 and all other rules corresponding thereto in force in any part of the Union Territory of Goa, Daman and Diu immediately before the commencement of these rules are hereby repealed.

Provided that anything done or any action taken under any of the rules so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

R. L. Segel, Law Secretary.

Panaji, 6th January, 1968.

FORM A

[See Rule 6(1)]

Notice of publication of voters list in draft

To

The Voters of the ... Village Panchayat.

Notice is hereby given that the voters list has been prepared in accordance with the Registration of Electors Rules, 1960, read with the Goa, Daman and Diu Village Panchayat (Election Procedure) Rules, 1967 and a copy thereof is available for inspection at my Office and in the Office of the ... Village Panchayat during Office hours.

If there be any claim for the inclusion of a name in the list or any objection to the inclusion of a name or any objection to particulars in any entry, it should be lodged on or before the ... in Form B, C, or D as may be appropriate.

Every such claim or objection should be presented in my Office not later than the aforesaid date.

Mamlatdar ... Taluka,
Registration Officer.
... Village Panchayat.

Date ...
Place ...

FORM B
[See Rule 6(3)]

Claim application for inclusion of name

The Registration Officer,

Village Panchayat ...

Sir,

I request that my name be included in the voters list for the above Village Panchayat in ward No. ... relating to ... My name (in full) ...

My Father's/Mother's/Husband's name ...

Particulars of my place of residence are:

House No. ... Ward No. ...

Street/Mohala ...

Town/Village ...

Post Office ...

Police Station/Tehsil/Taluka ...

District ...

I hereby declare that to the best of my knowledge and belief:

- (i) that I am a citizen of India;
- (ii) that my age on the first day of January last was ... years and ... months;
- (iii) that I am ordinarily resident at the address given above;
- (iv) that I have not applied for the inclusion of my name in the voters list for any other Village Panchayat;
- (v) that my name has not been included in the voters list for this or any other Village Panchayat;

Or

that my name may have been included in the voters list for the ... Village Panchayat in ... State under the address mentioned below and, if so, I request that the same may be excluded from the voters list.

Place ...

Date ...

Signature or thumb impression
of the claimant.

I am a voter included in the voters list of the same ward in which the claimant has applied for inclusion, viz ward No. ... relating to ...

My serial number therein is ... I support this claim and countersign it.

Signature of the voter.

Name (in full) ...

FORM C
[See Rule 6(4)]

Objection to inclusion of name

To

The Registration Officer,
... Village Panchayat.

Sir,

I object to the inclusion of the name of ... at Serial no. ... in Ward ... of the voters list for the following reason (s) ...

I hereby declare that the facts, mentioned above are true to the best of my knowledge and belief.

My name has been included in the voters list for this Village Panchayat as follows:

Name if full ...

Father's/Husband's/Mother's Name ...

Serial no. ...

Ward no. ...

.....
(Signature/thumb impression of objector)

(Full Postal address) ...

.....

Date ...

I am a voter included in the same ward of the voters list in which the name objected to appears viz Ward No. relating to ... Village panchayat. My serial number therein is ... I support this objection and countersign it.

.....
Signature of the voter.

Name (in full) ...

FORM D

[See Rule 6(5)]

Objection to particulars in an entry

To

The Registration Officer,
... Village Panchayat.

Sir,

I submit that the entry relating to myself which appears at Serial No. ... of the voters list as "....." is correct. It should be corrected to read as follows:

.....

.....

Signature or thumb impression of the voter.

Place ...

Date ...

FORM E

[See Rule 6(7)]

List of claims

Date of receipt	S. No.	Name of claimant	Name of father/husband/mother	Place of residence	Date, time and place of hearing
1	2	3	4	5	*6

* To be filled only by the Registration Officer.

FORM F

[See Rule 6(7)]

List of objections to inclusion of names

Date of receipt	S. No.	Full name name of objector	Particulars of name objected to		Reasons in brief for objection	Date, time and place of hearing
1	2	3	Ward No.	S. No.	Name in full	7
1	2	3	4	5	6	*8

* To be filled in by the Registration Officer.

FORM G

[See Rule 6(7)]

List of objections to particulars in entries

Date of receipt	S. No.	Name in full of voter objecting	Ward no. and serial no. of entry	Nature of objection	Date, time and place of hearing
1	2	3	4	5	*6

*To be filled in by the Registration Officer.

FORM H
[See Rule 10(1)(b)]

Original

(To be served on the person objected to).

To

(Full name and address of ... person objected to).

Reference: Objection No. ...

Take notice that the objection to the inclusion of your name at Serial No. ... in ward ... of the voters list for ... Village panchayat filed by.

(Full name and address of objector) ...

will be heard at ... (place) at ... O'clock on the ... day of ... 196... You are directed to be present at the hearing with such evidence as you may like to adduce.

The grounds of objection (in brief) are:—

- (a)
(b)
(c)

Place: ...

Date: ...

Registration Officer
... Village Panchayat and
Mamlatdar ... Taluka.

Certificate of service of notice

Received notice of the date of hearing

Date: ...

person objected to

Certified that the notice on the person, the entry relating to whose, name has been objected to, has been duly served by me this day of ... on (name) ... personally/ by affixation on residence.

Serving Officer

Place: ...

Date: ...

FORM I

[See Rule 6(12)(b)]

Notice of final publication of voters list

It is hereby notified for public information that the list of amendments to the draft voters list for ... Village panchayat has been prepared in accordance with the Registration of Electors Rules 1960 read with the Goa, Daman and Diu Village Panchayat (Election Procedure) Rules 1967 and a copy of the said list together with the said list of amendments has been published and will be available for inspection at my Office and in the Office of ... Village Panchayat.

Registration Officer

... Village Panchayat and
Mamlatdar ... Taluka.

Place: ...

Date: ...

Notice of Election and Public Notice

FORM No. 1

[See Rule 10(1) and (2)]

Notice is hereby given that:—

an election of members is to be held of the ... Village Panchayat in ... Taluka on ... Nomination paper may be delivered by a candidate to a Returning Officer in his Office at ... between 11 AM to 3 PM on ...

The Mamlatdar of ... Taluka is its ... Returning Officer for this Election.

Collector.

The Programme of Election is as under:

- 1) Date and time for receiving the nomination paper.
- 2) Date and time for scrutiny of nomination paper.
- 3) Date and time of withdrawal of nomination paper.
- 4) Date and time of Poll.
- 5) Date and time of counting.

- 1) A voter in a ward is entitled to cast only one vote.
- 2) Form of nomination paper will be available in the Office of the Returning Officer during Office hours.
- 3) In case of a general seat a sum of Rs. 5/- and in the case of a seat reserved for a woman a sum of Rupee one is required to be deposited in cash with the Returning Officer on or before the date fixed for receiving the nomination paper.

Collector.

Copy for publication at the Office of:

- 1) The Mamlatdar ... Taluka
- 2) the Block Development Officer ... Taluka.
- 3) the Village panchayat at ...

FORM No. 2

[See Rule 11]

Election to ... Panchayat.

(To be filled in by the candidate)

I hereby give notice that I propose myself as a candidate for election as member to the above panchayat from ward No. ...

1. Full name of candidate ...
2. Sex ...
3. Age ...
4. Address ...
5. No. of the ward and serial no. of his name in the voters list.
6. I further declare that:—
 - (a) I am qualified to be a member under the provisions of the Goa, Daman and Diu Village Panchayat Regulation 1962.
 - (b) I am not subject to any disqualifications specified in Section 11 of the said Regulation and
 - (c) I am willing to serve as a member if elected.

Date: ...

Place: ...

Signature of candidate

(To be filled in by Returning Officer)

S. No. of the ward from which the candidate proposes to seek election ...

S. No. of the nomination paper for such ward/seat.

This nomination paper was presented to me at ... (hours) on ... (date) by Shri/Shrimati ... (candidate).

(Decision accepting or rejecting the nomination paper)

I have examined the nomination paper in accordance with provisions of these rules and decide as follows:

Date: ...

Place: ...

Returning Officer,
... Panchayat Election

Receipt for Nomination Paper

S. No. of the ward/(Name of Seat) from which the candidate proposes to seek election ...

S. No. of the nomination paper for such ward/seat ...

The nomination paper of ... a candidate for election as member was delivered to me at ... (hours) on ... (date) by Shri/Shrimati ...

The nomination paper will be taken up for scrutiny at ... (hours) on ... (date) at ... (place).

Date: ...

Place: ...

Returning Officer,
... Panchayat Election

[See Rule 16]

Election to the ... Panchayat ... Taluka
Ward No. ...

Date: _____
Place: _____

Returning Officer
... Panchayat

[See Rule 20]

Place:
Date:

Returning Officer
... Panchayat Election

[See Rule 21]

Voting paper

(Back of ballot paper) Serial No. ...

[See Rule 38]

Election to the ... Village Panchayat.
Polling Station ...

Place: ...

Date: ...

Signature of Presiding Officer.

[See Rule 39]

Election to the ... Panchayat.
Ward no. ...

Place: ...

Date: ...

Signature of Presiding Officer.

[See Rule 45(4)]

Election to the ... Village Panchayat.
Ward no. ...
Polling Station: ...

1. Number of ballot papers received by the Presiding Officer at the Polling Station.
2. Number of ballot papers issued to voters.
3. No. of unused ballot papers returned.
4. No. of ballot papers cancelled.
5. No. of ballot papers used as Tendered ballot papers.
6. No. of ballot papers in ballot box.

Signature of the Presiding Officer.

FORM No. 9

[See Rule 4]

This is to notify for information of the public that it is proposed to hold General Elections for the Village Panchayat in ... Taluka. The division of Village Panchayat into wards, extent and limits of each ward and the number of seats to be elected from each ward as sanctioned under the provision of the Goa, Daman and Diu Village Panchayat Regulations, 1962 is as shown below:—

Name of village panchayat	Ward No.	Extent and limits of the ward		No. of members to be elected
		Village wado	House No.	
1	2	3		4

Date: ...

Place: ...

Collector, Goa.

Copy for publication at—

- 1) Office of the Collector.
- 2) Office of the Mamlatdar ... Taluka.
- 3) Office of the Block Development Officer ... Taluka.
- 4) Office of the ... Village Panchayat.
- 5) To the Manager, Government Printing Press, Panaji for publication in the special supplement of the gazette.

FORM No. 10

[See Rule 7]

This is to notify for information of the public that it is proposed to hold the general Elections of Village Panchayats in ... Taluka. A voters list has been prepared ward-wise for the purpose and it is kept published in the Office of the ... Village Panchayat. So the voters list will be available for perusal in the said Office during Office hours to those who intend to see it.

Place: ...

Date: ...

Mamlatdar ... Taluka.

FORM No. 11

Notice of Withdrawal

[See Rule 17(1)]

Election to the ... Panchayat ... Taluka.

Ward No. ...

The Returning Officer.

I ... a candidate nominated at the above election do hereby give notice that I withdraw my candidature.

Signature of candidate

Place: ...

Date: ...

This notice was delivered to me at my Office at ... (hours) on ... (date) by ... (name), the ...

Date: ...

Returning Officer
... Village Panchayat.

Receipt for Notice of Withdrawal

(To be handed over to the person delivering the notice)

The notice of withdrawal of candidature by ... a candidate at the election to the ... was delivered to me by the ... at my Office at ... (hours) on ... (date).

Returning Officer
... Panchayat Election.

FORM No. 12

Notice of Withdrawal of Candidatures

[See Rule 17(3)]

Election to the ... Panchayat ... Taluka.

Ward No. ...

Notice is hereby given that the following candidate (s) at the above election withdrew his candidature/their candidatures to-day.

S. No.	Name of candidate	Address of candidate	Remarks
1	2	3	4

Place: ...

Date: ...

Returning Officer
... Panchayat Election.

FORM No. 13

Appointment of Polling Agent

[See Rule 25(1)(a)]

Election to the ... Village Panchayat.

Ward No. ...

I ... a candidate at the above election do hereby appoint Shri ... of ... as a polling agent to attend polling station No. ... at ... place fixed for poll on ...

Place: ...

Date: ...

Signature of candidate.

FORM No. 14

Appointment of Counting Agent

[See Rule 46(vi)]

Election to the ... Village Panchayat.

Ward No. ...

To

The Returning Officer.

I ... a candidate at the above election, do hereby appoint Shri ... as my counting agent to attend the counting of votes at ...

Place: ...

Date: ...

Signature of candidate.

FORM No. 15

Letter of intimation to Returning Officer

[See Rule 44(1)]

To

The Returning Officer,
... Village Panchayat
and
Mamlatdar ...

Sir,

I have been appointed as ... at the Polling Station to the ... Village Panchayat elections. I intend to cast my vote by post at the ensuing village panchayat election to the ... village panchayat.

My name is entered at S. No. ... in ward No. ... of the ... village panchayat voters list.

The ballot paper may be sent to me at the following address:

.....
.....
.....

Yours faithfully,

...

Place: ...

Date: ...

FORM No. 16

Declaration by Voter

[See Rule 44(4)(a)]

Election to the ... Village Panchayat.

(This side is to be used only when the voter signs the declaration himself).

I hereby declare that I am a voter to whom the postal ballot paper bearing serial number ... has been issued at the above election.

Signature of voter.

Date: ...

Attestation of Signature

The above has been signed in my presence by Shri ... voter who is personally known to me/has been identified to my satisfaction by Shri ... (identifier) who is personally known to me.

Signature of identifier, if
any.

Address: —

Signature of Attesting Officer.

Designation

Address ...

Date: ...

(This side is to be used when the voter cannot sign himself).

I hereby declare that I am a voter to whom the postal ballot paper bearing serial number ... has been issued at the above election.

Date:

Signature of attesting Officer

Designation ...

Address of voter ...

Certificate

I hereby certify that:

- (1) the above named voter is personally known to me/has been identified to my satisfaction by Shri ... (identifier) who is personally known to me.
- (2) I am satisfied that the voter is illiterate/suffers from ... (infirmity) and is unable to record his vote himself or sign his declaration;
- (3) I was requested by him to mark the ballot paper and to sign the above declaration on his behalf; and
- (4) The ballot paper was marked and the declaration signed by me on his behalf in his presence and in accordance with his wishes.

Signature of identifier, if any

Address:

Signature of attesting Officer

Designation ...

Address: ...

Date: ...

FORM No. 17

Small cover

[See Rule 44(4)(b)]

A

NOT TO BE OPENED BEFORE COUNTING

ELECTION TO THE

..... Village Panchayat

Ward No. ...

Postal Ballot Paper

Serial No. of ballot paper

FORM No. 18

Larger cover

[See Rule 44(4)(c)]

B

Every Officer under whose care or through whom a postal ballot paper is sent shall ensure its delivery to the addressee without delay [Rule 44(4)]

SERVICE
UNPAID

Election — Immediate

Postal Ballot Paper

... Village Panchayat

(Not to be opened before counting)

To,

The Returning Officer,

... Village Panchayat, Ward No. ... and Mamlatdar
... Taluka.

Signature of Sender ...

FORM No. 19

Instructions for the guidance of voters

[See Rule 44(3)(d)]

(To be used at an election to the Village Panchayat)

Election to the ... Village Panchayat.

The persons whose names are printed on the ballot paper sent herewith are candidates at the above election. If you desire to vote, you should record your vote in accordance with the directions given in Part I below and then follow the instructions detailed in Part II.

Part I — Directions to electors.

1. The number of members to be elected is one.
2. You have only one vote.
3. You must not vote for more than one candidate. If you do, your ballot paper will be rejected.
4. Record the vote by placing clearly a mark opposite the name of the candidate to whom you wish to give that vote.
5. The mark should be so placed as to indicate clearly and beyond doubt to which candidate you are giving your vote. If the mark so placed as to make it doubtful to which candidate you have given the vote, that vote will be invalid.
6. An voter shall obtain the attestation of his signature on the declaration in Form No. 16 by a magistrate or such other Gazetted Officer or Presiding Officer of the Polling Station at which he is on election duty.

Part II — Instructions for electors.

FORM No. 20

[See Rule 48(4)]

Final Result Sheet

Election to the ... Village Panchayat ... Ward No. ...
..... Taluka.

(a) After you have recorded your vote on the ballot paper, place the ballot paper in the smaller cover marked 'A' sent herewith. Close the cover and secure it by seal or otherwise.

(b) You have then to sign the declaration in Form No. 16 also sent herewith, in the presence of a magistrate or any other officer competent to attest your signature (See direction 6 above). Take the declaration to any such officer and sign it in his presence after he has been satisfied about your identity. The officer will attest your signature and return the declaration to you. You must not show your ballot paper to the attesting officer nor tell him how you have voted.

(c) If you are unable to mark the ballot paper and sign the declaration yourself in the manner indicated above by reasons of illiteracy, blindness or other infirmity, you are entitled to have your vote marked and the declaration signed on your behalf by any officer referred to in item (b). Such an officer will at your request mark the ballot paper in your presence and in accordance with your wishes. He will also complete the necessary certificate in this behalf.

(d) After your declaration has been signed and your signature has been attested in accordance with item (b) or item (c), place the declaration in Form No. 18 as also the smaller cover marked 'A' containing the ballot paper, in the larger cover marked 'B'. After closing the larger cover, send it to the returning officer by post or by messenger. You have to give your full signature in the space provided on the cover marked 'B' but no postage stamp need be affixed by you.

(e) You must ensure that the cover reaches the Returning Officer before ... P. m. on ...

(f) Please note that —

(i) if you fail to get your declaration attested or certified in the manner indicated above, your ballot paper will be rejected; and

(ii) if the cover reaches the returning officer after ... P. M. on the ... * your vote will not be counted.

S. No.	Polling Station	Number of valid votes cast in favour					Total No. of valid votes	Number of rejected votes	Total	Number of tendered votes	Remarks
		Names	1	2	3	4	5				

Total number of votes recorded at polling station

Number of votes recorded on postal ballot papers

Total votes polled

Place:

Date:

Returning Officer
... Village Panchayat.